

## NEBRASKA ADMINISTRATIVE CODE

### Title 133 – NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

#### Chapter 6 – GRANT ADMINISTRATION

001 The Department shall notify the grant recipient of the award of grant funds contingent upon signing the grant agreement.

002 The Department may award partial funding in an amount less than requested by an applicant provided that the applicant submits a revised budget and work plan within the scope of the original application that meets Department requirements and deadlines.

003 The Director in his or her discretion may redistribute grant funds returned or unexpended during a grant funding cycle to other applicants or return the monies to the Fund to be distributed in a subsequent grant cycle.

004 Grant funds shall be disbursed in accordance with the grant agreement.

005 Disbursement of funds pursuant to any grant shall be subject to the availability of funds and shall be in accordance with specified grant conditions.

006 Equipment lien. The grant recipient shall agree to allow the Department to file a lien on all equipment purchased in whole or in part with grant funds for the expected service life of the equipment, including any redistributed equipment.

007 Grant recipients shall be liable for audit by the Department or its authorized agents. Audits may include, but are not limited to, on-site inspections and review of financial records and other relevant documents relating to the grant-funded project.

008 Project and/or budget modifications.

008.01 If a grant recipient wants to modify an approved project and/or the expenditures of grant funds or interest or dividends earned on the grant funds, the grant recipient must submit a written request to the Department. The request must include a revised work plan and a revised comprehensive line-item budget with an explanation for the request.

008.02 If the Department approves the request, the grant agreement must be modified accordingly prior to initiating the changes. If the Department denies the request, the grant recipient will be notified in writing and may not expend grant funds for the denied changes.

009 Recognition of Department.

009.01 Grant recipients are required to recognize grant funding from the Department on all published materials and news releases related to their Department grant funded project.

009.02 If required by the Department, grant recipients shall display a sign provided by the Department at site locations. The Department may also require equipment partially or wholly funded with grant funds be identified by a decal or other means provided by the Department acknowledging the source of the grant funding.

010 Grant termination. A grant may be terminated by the Department for any of the following reasons:

010.01 Falsification, concealment, or misrepresentation of any information;

010.02 Failure to submit information or data required by the grant;

010.03 Violation of any condition of the grant; or

010.04 Failure to comply with applicable regulations.

011 Penalties.

011.01 Failure by the grant recipient to comply with these regulations or the grant agreement may result in:

011.01A Suspension, termination, or revocation of the grant;

011.01B Withholding of further grant disbursements;

011.01C Disqualification from future grants for a time period specified by the Director;

011.01D Forfeiture of any equipment purchased with grant funds;

011.01E Reimbursement to the Department for money already disbursed under the grant agreement; or

011.01F Any other remedy provided by law.

011.02 Prior to initiating such action, the Department may provide written notice to the grant recipient explaining the reason for the intended action and offer an opportunity to respond or cure the failure within a specified time frame.

Enabling Legislation: Neb. Rev. Stat. §§81-1549, 81-1561 (Reissue 2008)

Legal Citation: Title 133, Ch. 6, Nebraska Department of Environmental Quality